

CIVIL DOCKET
UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS				
<p>RICHARD L. HUDSON</p> <p>VS</p> <p>SWAN ENGINEERING AND SUPPLY CO., INC., a Kansas Corporation; H.A. SMITH and EUGENE P. MITCHELL,</p>		<p>For plaintiff:</p> <p>James R. Hays 1/14 Ellison, Smith, Morrel & Hays Harvard Tower, Suite 534 4815 So. Harvard, Tulsa, 74135 Paul McBride 749-1673 B. W. Tabor Rucker Tabor, McBride + P.O. Box 1439 Hopkins Tulsa, Oklahoma 74101 587-3361 Rucker, Tabor, McBride & Hopkins Rucker Bldg. Tulsa, Oklahoma</p> <p>For defendant: ✓ 582-8877 Joseph A. Sharp(all defts) Best, Sharp, Thomas & Glass 200 Franklin Building Tulsa, Oklahoma 74103</p> <p>Jim Swank, Jr. Legal Dept. Commrs. of the Land Office Oklahoma City, Okla 73105</p>				
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 9-1-72	Clerk	8-18-72	Hays	15 00	15 00	
J.S. 6 mailed 4-1-75	Marshal	8-24-72	CD 9			
Basis of Action: Breach of Contract	Docket fee					
	Witness fees					
Action arose at:	Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-18-72	Complaint filed. h	
8-18-72	Plaintiff's first interrogatories to defendant, Swan Eng. & Sy. Co., Inc. filed.h	
8-18-72	Request for admissions of def. H.A. Smith filed. h	
8-18-72	Request for admissions of def. Eugene P. Mitchell filed. h	
8-18-72	Summons issued with above interrogatories .h	
8-18-72	Request for admissions of def. Swan Eng., etc. filed.h	
9-7-72	Summons, ret. & filed: served H. A. Smith, Service Agt., K.C. Ks., H. A. Smith, Prairie Village, Ks., 8-25-72; Eugene P. Mitchell, K.C., Mo. 8-28-72. (USM \$3136)g	
9-13-72	Entry of appearance and appl. for additional time to file answer, filed by the Dft.'s v Order granting extension of 15 days from 9-14-72, to answer.(JCS-A.Clerk)v	
10-4-72	Answer of defendant Swan Engineering & Supply Co. filed. ds	
10-4-72	Answer of defendants H. A. Smith and Eugene P. Mitchell, filed. ds	
10-11-72	Parties directed to hold pre-trial conference prior to 11-20-72 and file pre-trial order not later than 11-29-72. (AEB-J)hm	
10-20-72	Appl. for order that requested admissions are admitted, filed. v -order to be brought over. <i>Order in 10-20-72</i>	<i>(see, 10-20-72)</i>
10-20-72	Appl. for order compelling discovery, filed. v -order to be brought over. <i>Order in 10-20-72</i>	<i>(see, 10-20-72)</i>
10-26-72	Pltf's second request for admissions, filed. hm	
10-27-72	Appl. for additional time within which to file answers to requests for Admissions and Interrogatories, filed. v -order as part of pldg. to Judge.	
11-2-72	Order, filed, granting defts. 10 days from 10-27-72 to file answers to request for admissions and answers to interrogatories. (Part of application)hm (copies mailed)	
11-6-72	Answers to Request for Admissions of the Deft., Eugene P. Mitchell, filed.v	
11-6-72	Answers to Request for Admissions, filed by Deft. Swan Engineering & Supply Co., Inc. v	
11-6-72	Answers to Interrogatories, filed by Swan Engineering & Supply. v	
11-6-72	Answers to Request for Admissions, filed by Deft. H.A. Smith. v	
11-20-72	Notice of Employment of Attorney of Record of B. W. Tabor, as Plaintiff's attorney, filed. v	
11-20-72	Appl. for Continuance from pre-trial docket, filed by pltf. & deft.s. v <i>Done</i>	
11-22-72	Order granting continaance of PT; that PT be held on or before 12/20/72 and PT order filed by 12/29/72. (AEB-J)rm - copies mailed	
12-12-72	Notice to take deposition, filed. hm	

(CONTINUE)

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-18-72	Return of U. S. Marshal filed. Subpoena served to Melvin B. Jones on 12-15-72 at Tulsa, Okla. (Fee \$2.00). r	
12-18-72	Return of U. S. Marshal filed. Subpoena served on Frank J. Opatrny on 12-15-72 at Tulsa, Okla. (Fee, \$2.52) r	
12-29-72	Joint application for additional time to prepare PT order, filed. hm	
1-2-73	Answers of defts. to second request for admissions, filed. g	
1-2-73	Stipulation filed, to extend time to file answers to pltf's second request for admission to 1-15-73, with leave granted to file. (AEB-J) hm	
1-2-73	Order filed, granting parties until 1-29-73 to file PT order (part of joint application) (AEB-J) hm (copies mailed)	
1-10-73	Notice to take deposition of Donald T. McDowell, in San Francisco, Cal. on 1-16-73 by defendants, filed. v	
1-16-73	Stipulation of parties that depositions schedules for 1-16-73 be passed to 1-19-73, to be taken at same time and place without further notice, filed. rm	
1-22-73	Notice of passing of depositions filed. Deposition heretofore scheduled for 1-19-73, in San Francisco, Cal. has been passed to 1-30-73, at 10:00 A.M. in office of John F. Taylor, in San Francisco, Cal. v	
1-22-73	Appli. for extension of time to file PT order, filed by defts. v	
1-23-73	Order filed, granting parties until 2-15-73 in which to file their PT order. (AEB-J) r (copies mailed)	
2-2-73	Deposition of Frank J. Opatrny on be half of pltf. taken on 12-15-72, before Frank L. Peterson, CSR, fee of \$21.60 pd by pltf's, filed. jj	
2-2-73	Deposition of Melvin B. Jones, on behalf of pltf, taken on 12-15-72, before Frank L. Peterson, CSR, filed. \$37.00 pd by pltf. jj	
2-16-73	Application for Additional Time to File PreTrial Order, including Order filed, jj.	
2-20-73	Order granting defts. until 2-25-73 to file pre-trial order, filed. (AEB-J)g <i>gives minor - will be in 2-1-73</i>	
3-5-73	Pre-trial order filed.h(AEB-J)h	
7-17-73	Dep. of Richard L. Hudson on behalf of defts. taken before Thomas G. Bloxom CSR on 5-22-73, filed. Fee \$159.00 pd by defts. jj	
7-17-73	Dep. of Horace A. Smith, on behalf of plt. taken before Thomas G. Bloxom CSR on 5-22-73, filed. Fee \$19.00 paid by Plt. jj	
8-6-73	Deposition of Donald T. McDowell, taken by Socrates Nicholson, Reporter, on 1-31-73	

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-11-73	Minute Order: It is ordered that this case is set for non-jury trial on Monday, 1-21-74 at 10:00 A.M. (AEB-J)e	
1-8-74	Mtn. for Continuance, filed.jj <i>filed by atty.</i>	
1-8-74	Order, filed, that Mtn. for Cont. is hereby granted and trial shall be cont. from 1-21-74 to trial docket of 3-74.(AEB-J)jj copies mailed of James R. Hays	
1-14-74	Appl./to Withdraw as Atty. of Record for Pltf., filed. O to J jj	
1-14-74	Entry of Appearance of Rucker, Tabor, McBride & Hopkins as attys. for Pltf., filed.jj	
1-14-74	Order, filed, Allowing Atty/to Withdraw of Record. (AEB-J)jj James R. Hays	
3-20-74	Case set for non-jury trial on 6-17-74 at 10 A.M. (AEB-J)g	
6-17-74	Parties are to report to court within 10 days concerning settlement. case stricken from non-jury docket.(AEB-J).s	
8-13-74	MO: Case set for non-jury trial on 8-27-74, at 10:00 A.M.(AEB-J)b	
8-19-74	MO: Case stricken from non-jury trial docket; to be re-set next non-jury docket.(AEB-J) b	
8-19-74	Case set for non-jury trial on 11-11-74, at 9:30 A.M.(AEB-J) b	
11-6-74	Defts' motion for continuance, filed. hm	
11-8-74	Order Granting Continuance of non-jury trial, filed and entered.(AEB-J)b cps mld.	
1-28-75	MO: ORDERED BY THE COURT that this case is set for Non-Jury Trial on February 3, 1975, at 10:00 A.M. (AEB-J)v -notices mailed.	
1-29-75	Appl. of Deft. Swan Engineering & Eugene Mitchell for continuance from the 2-3-75 Non-Jury Docket, filed. v -atty. took order to Judge. Deft's applic. for	
1-31-75	Order granting/continuance of non-jury trial to next non-jury docket, filed.(AEB-J)b <i>as mld</i>	
2-14-75	MO: Ordered by the Court that this case is set for Non-Jury Trial on Monday, 3-17-75 at 9:30 a.m. (AEB-J)k notices by cert. ml	
3-14-75	Order dismissing cause of action and complaint without prejudice, filed and entered. (AEB-J)g cpies mailed.	